UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION NO. 5:12-CV-620-BR

JANE E. MILLER, individually and as)	
personal representative of the Estate of)	
Robert Wesley Miller,)	
•)	
Plaintiff,)	
)	
V.)	<u>ORDER</u>
)	
3M COMPANY a/k/a Minnesota Mining &)	
Manufacturing Company, et al.,)	
)	
Defendants.)	

This matter is before the Court on the Joint Motion to Dismiss Plaintiff's claims against only Defendant CUMMINS, INC. pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. There being no opposition, the motion is ALLOWED. IT IS THEREFORE ORDERED that Plaintiff's claims against Defendant CUMMINS, INC. are hereby DISMISSED WITHOUT PREJUDICE. Each party shall bear its own costs.

This 14 January 2014.

W. Earl Britt

Senior U.S. District Judge